

Message Text

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ACTION EUR-12

INFO OCT-01 IO-13 ISO-00 SS-15 NSC-05 CIAE-00 PM-04
INR-07 L-03 ACDA-07 NSAE-00 PA-01 PRS-01 SP-02
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FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 6056
INFO AMEMBASSY BONN
AMEMBASSY PARIS
USMISSION NATO
SECDEF

C O N F I D E N T I A L GENEVA 2092

E.O. 11652: GDS
TAGS: PFOR, PARM, NATO
SUBJECT: NATO CONSIDERATION OF DRAFT PROTOCOL ON INTERNATIONAL
LAW IN ARMED CONFLICT

REF: (A) GENEVA 2052 (NOTAL); (B) USNATO 1139 (NOTAL)

1. MARCH 18 MEETING OF REPS FROM NATO COUNTRIES REFERRED TO
REF (A) RESULTED IN AGREEMENT BY ALL PRESENT TO RECOMMEND
TO THEIR GOVERNMENTS THAT MANDATE FOR NATO MILITARY COMMITTEE
STUDY BE APPROVED AT EARLY DATE (PREFERABLY AT NEXT MEETING
WHERE POLADS CONSIDER THE QUESTION), SUBJECT TO THE UNDER-
STANDING THAT THE STUDY ITSELF WOULD NOT BEGIN UNTIL (A) THE
DELEGATIONS IN GENEVA HAVE PRODUCED AGREED INTERPRETATIONS
OF THE RELEVANT ARTICLES WHICH CAN SERVE AS A BASIS FOR THE
WORK OF THE MILITARY COMMITTEE AND (B) THE CONFERENCE HAS
ENDED AND THE FINAL STRUCTURE OF THE PROTOCOL CAN BE SEEN.
DUTCH AND NORWEGIANS, WHO HAD BEEN RELUCTANT TO AGREE TO
MANDATE, EXPLICITLY CONCURRED IN THIS COMPROMISE, WHICH
WAS PROPOSED BY USREP, AMB. ALDRICH.

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2. TEXT OF MANDATE REMAINS NATURALLY TO BE WORKED OUT BY
POLADS, BUT THERE WAS CONSENSUS AMONG GENEVA REPS THAT IT
SHOULD BE SIMPLE AND NONPREJUDICIAL. USDEL WOULD THKNK
UK PROPOSAL TRANSMITTED REF (B) WOULD MEET THESE REQUIREMENTS.

3. REPS FROM NATO COUNTRIES WERE GENERALLY ENTHUSIASTIC
ABOUT IDEA OF WORKNG OUT COMMON INTERPRETATIONS OF KEY

PROVISIONS OF THE DRAFT PROTOCOL. ONLY SOUR NOTE WAS
INTRODUCED BY THE FRENCH REP, COLONEL DE GABERY, WHO
EXPOUNDED AT LENGTH HIS VIEW THAT PROTOCOL WOULD SERIOUSLY
HARM WESTERN DEFENSE INTERESTS. HIS INTERPRETATIONS
OF A NUMBER OF DRAFT ARTICLES WERE UNREASONABLE, TRACKED
FORMER GERMAN DEFENSE MINISTRY ARGUMENTS, AND SEEMED
DESIGNED SIMPLY TO JUSTIFY PROBABLY FRENCH DECISION TO
REJECT PROTOCOL, A DECISION THAT WOULD OWE MORE TO
POLITICAL THAN TO MILITARY CONSIDERATIONS (E.G., ARTICLE 1
ON WARS OF NATIONAL LIBERATION). SORENSON

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Message Attributes

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